

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

**Affirmation in Support of
Application for Order of Continuance**

ROCKWELL GAJWANI,

16 Mag. 4302

Defendant.

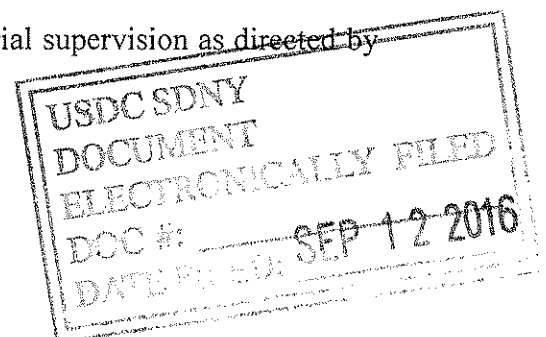
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State of New York)
County of New York : ss.:
Southern District of New York)

Andrew D. Beaty, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. §3161(h)(7)(A).

2. The defendant was charged in a complaint dated July 6, 2016, with violations of Title 18, United States Code, Sections 2, 1343, and 1956, and Title 26, United States Code, Section 7201. The defendant was arrested on July 12, 2016, and was presented before Magistrate Judge Frank Maas on July 12, 2016. The defendant was represented by Mark Gombiner, Esq., and ordered released on the following conditions: \$1,500,000 personal recognizance bond to be cosigned by three financially responsible persons and secured by property; travel restricted to the Southern District of New York, the Eastern District of New York, and the District of Connecticut; surrender of travel documents (and no new applications); and pretrial supervision as directed by Pretrial Services.



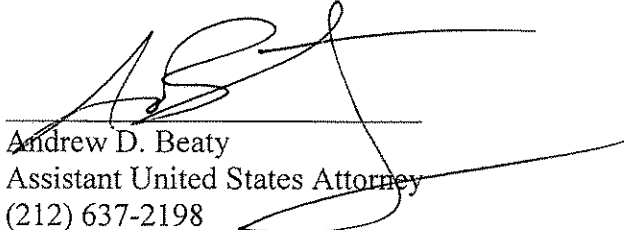
3. At the initial presentment, defense counsel consented to a waiver of his client's right pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within 21 days of the initial appearance. Accordingly, under the Speedy Trial Act the Government initially had until August 11, 2016, within which to file an indictment or information. On or about August 11, 2016, the Government's first request for a 30-day continuance was granted until September 12, 2016

4. Defense counsel and counsel for the Government have had discussions regarding a possible disposition of this case beginning on July 12, 2016, and continuing to as recently as on or about September 6, 2016. The negotiations have not been completed and we plan to continue our discussions, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on September 12, 2016.

5. Therefore, the Government is requesting a 30-day continuance until October 12, 2016, to continue the foregoing discussions and reach a disposition of this matter. On or about September 2, 2016, I personally spoke to defense counsel who specifically consented to this request. This application has been authorized by Assistant United States Attorney Andrew Dember, Deputy Chief of the Criminal Division.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
September 9, 2016



Andrew D. Beaty
Assistant United States Attorney
(212) 637-2198